

STATE OF INDIANA )

SS:

IN THE LAKE SUPERIOR COURT  
CIVIL DIVISION, ROOM 1  
HAMMOND, INDIANA

COUNTY OF LAKE )

ANNUAL TERM, 1997

MIDDLE PASSAGE, INC.,  
Plaintiff )

vs. )

CAUSE NO. 45D01-9701-CF-146

MATTIE UPSHAW, SAUNDRA L.  
UPSHAW A/K/A SAUNDRA L.  
VAN, HUTCHEN UPSHAW, THE  
HEIRS, DESCENDANTS, OR  
ASSIGNS OF THE ABOVE NAMED  
PEOPLE, AND ANY INDIVIDUAL  
OR ENTITY WHO CLAIMS OR  
MAY CLAIM AN INTEREST IN  
THE REAL ESTATE DESCRIBED  
IN THIS ACTION,

Defendants )

Filed in Open Court

MAR 25 1997

DULY ENTERED FOR TAXATION SUBJECT TO  
FINAL ACCEPTANCE FOR TRANSFER.

APR 17 1997

ORDER SAM ORLICH

AUDITOR LAKE COUNTY

Comes now Plaintiff Middle Passage, Inc., through Robert

Douglas, President, by and through its attorney, Russell D. Millbranth, and shows to the Court that Notice by Publication was given in the Indiana City Press, a public weekly newspaper of general circulation in Lake County, State of Indiana, printed in the English language and published weekly in the City of East Chicago, Township of North, Lake County, State of Indiana, and that said Indiana City Press has been published continuously for more than five (5) years in said county and state, and, as shown by the Proof of Publication filed with this Court, publication in said newspaper occurred successfully for three (3) weeks with the first publication on the 24th day of January, 1997, the second publication on the 31st day of January, 1997, and the third publication on the 7th day of February, 1997.

000969

9702446

STATE OF INDIANA  
LAKE COUNTY  
CLERK OF SUPERIOR COURT  
FOR RECORDS  
SAM ORLICH  
APR 18 8 AM '97

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CK#1356

Now it is made to appear to the Court through the Affidavit of Plaintiff's President, Robert M. Douglas, that the Defendants are not in the military service of the United States, and that said Defendants are three (3) times loudly called in open Court, but come now and herein wholly make default. This being the time and place fixed for the hearing of this cause and the Court, having now received the evidence and being advised in the premises, finds that Plaintiff Middle Passage, Inc. is the owner in fee simple of the real estate described in the action to quiet title; that the Defendants named herein may claim an interest therein adverse to Plaintiff Middle Passage, Inc.; that the asserted claim of all of said Defendants, and each of them, is without right and unfounded; and, that Plaintiff Middle Passage, Inc. is entitled to have its title thereto quieted.

**IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT,** that Plaintiff Middle Passage, Inc. is the owner in fee simple of the real estate described in the action to quiet title, which real estate located in the County of Lake, State of Indiana, is more particularly described as follows:

Two parcels of land in Cure's Grove as per the plat thereof recorded in Plat Book 25, page 26 in the Lake County Recorder's Office, more particularly described as follows: All of Block 5 and a part of Block 4 beginning at the Northwest corner of said Block 5, thence North 89 degrees 18 minutes 57 seconds West 124.30 feet along with North line of said Block 4, thence South 00 degrees 00 minutes 00 seconds East 400.00 feet parallel with the East line of said Block 4, thence South 89 degrees 18 minutes 57 seconds East 400.00 feet, parallel with the North line of said Blocks 4 and 5 to the East line of said Block 4, thence North 00 degrees 00 minutes 00 seconds East 286.25 feet along said East line to the Southeast corner

Now it is made to appear to the Court through the Affidavit of Plaintiff's President, Robert M. Douglas, that the Defendants are not in the military service of the United States, and that said Defendants are three (3) times loudly called in open Court, but come now and herein wholly make default. This being the time and place fixed for the hearing of this cause and the Court, having now received the evidence and being advised in the premises, finds that Plaintiff Middle Passage, Inc. is the owner in fee simple of the real estate described in the action to quiet title; that the Defendants named herein may claim an interest therein adverse to Plaintiff Middle Passage, Inc.; that the asserted claim of all of said Defendants, and each of them, is without right and unfounded; and, that Plaintiff Middle Passage, Inc. is entitled to have its title thereto quieted.

**IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT,** that Plaintiff Middle Passage, Inc. is the owner in fee simple of the real estate described in the action to quiet title, which real estate located in the County of Lake, State of Indiana, is more particularly described as follows:

Two parcels of land in Cure's Grove as per the plat thereof recorded in Plat Book 25, page 26 in the Lake County Recorder's Office, more particularly described as follows: All of Block 5 and a part of Block 4 beginning at the Northwest corner of said Block 5, thence North 89 degrees 18 minutes 57 seconds West 124.30 feet along with North line of said Block 4, thence South 00 degrees 00 minutes 00 seconds East 400.00 feet parallel with the East line of said Block 4, thence South 89 degrees 18 minutes 57 seconds East 400.00 feet, parallel with the North line of said Blocks 4 and 5 to the East line of said Block 4, thence North 00 degrees 00 minutes 00 seconds East 286.25 feet along said East line to the Southeast corner

of said Block 5, thence North 89 degrees 18 minutes 57 seconds West 275.64 feet to the West line of said Block 5, thence North 00 degrees 01 minutes 49 seconds West 113.75 feet along said West line to the Point of Beginning, subject to all restrictions of record,

and that the Defendants' claims, and each of them are without right and are unfounded, and Plaintiff Middle Passage, Inc.'s title thereto be, and the same is hereby quieted.

IT IS FURTHER ORDERED, that Plaintiff Middle Passage, Inc. pay costs and charges herein.

ORDERED this 25 day of March, 1997.

PRO  
TEM



Judge, LAKE SUPERIOR COURT  
CIVIL DIVISION, ROOM 1  
HAMMOND, INDIANA

**Document is  
NOT OFFICIAL!**

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the Lake County Recorder!**

**STOP**



**CERTIFICATION OF CLERK**

As legal custodian I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.

Witness my hand and the seal of the court this  
3<sup>rd</sup> day of April, 1997.

Anna V. Austin  
Clerk of the Lake Circuit and Superior Courts

By: Theresa Hellem  
Deputy Clerk

Mellbrarh v Bush 175 W. Lincolnway Ste. H Valpo 46383 ←